

104TH CONGRESS
2D SESSION

S. 1604

To improve the Juvenile Justice and Delinquency Prevention Act requirements regarding separate detention and confinement of juveniles, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 1996

Mr. KOHL introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To improve the Juvenile Justice and Delinquency Prevention Act requirements regarding separate detention and confinement of juveniles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Juvenile Jail Improve-
5 ment Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) current Juvenile Justice and Delinquency
9 Prevention Act rules and regulations concerning the

1 separation of adults from juveniles during short pe-
 2 riods of detention or confinement have proven un-
 3 duly burdensome for rural law enforcement;

4 (2) altering requirements concerning the length
 5 of stay permitted in a State-approved portion of a
 6 county jail or secure detention facility, while retain-
 7 ing the separation of juveniles from adults, would di-
 8 minish these burdens without harm to juveniles;

9 (3) the requirement of completely separate
 10 staffing during these short stays also creates large
 11 burdens yet yields little benefit for juveniles; and

12 (4) experience with shared staff indicates that
 13 juveniles are not harmed by the use of shared staff,
 14 so long as the staff members are appropriately
 15 trained and certified, and juveniles do not have regu-
 16 lar contact with adults.

17 **SEC. 3. CLARIFICATION OF CONTACT RULES.**

18 Section 223(a)(14) of the Juvenile Justice and Delin-
 19 quency Prevention Act of 1974 (42 U.S.C. 5633(a)(14))
 20 is amended—

21 (1) by striking “1997” and inserting “2001”;

22 (2) by striking “pursuant to an enforceable
 23 State law requiring such appearances within twenty-
 24 four hours after being taken into custody (excluding
 25 weekends and holidays)” and inserting “and permit

1 the detention or confinement of juveniles in a State
 2 approved portion of a county jail or secure detention
 3 facility for up to 72 hours”; and

4 (3) by striking “such exceptions are” and all
 5 that follows through the end of the paragraph and
 6 inserting the following: “such exceptions—

7 “(A) are limited to areas that are in com-
 8 pliance with paragraph (13) and—

9 “(i) are outside a Standard Metropoli-
 10 tan Statistical Area; and

11 “(ii) have no existing acceptable alter-
 12 native placement available that is easily ac-
 13 cessible;

14 “(B) permit the same staff members to
 15 oversee both juveniles and adults only if such
 16 staff members have been properly trained and
 17 certified to supervise juveniles; and

18 “(C) ensure that juveniles have no regular
 19 contact with adult persons who are incarcerated
 20 because they have been convicted of a crime or
 21 are awaiting trial on criminal charges;”.

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